United Nations A/63/583

General Assembly

Distr.: General
3 December 2008

Original: English

Sixty-third session
Agenda items 64 (e) and 118

Promotion and protection of human rights:
Convention on the Rights of Persons with Disabilities

Programme budget for the biennium 2008-2009

Revised estimates resulting from the entry into force of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto

Report of the Secretary-General

Summary

The present report details budgetary requirements resulting from the entry into force on 3 May 2008 of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto.

It may be recalled that, in his statement on programme budget implications (A/C.5/61/15), the Secretary-General informed the General Assembly that should the Convention enter into force in 2007 and the Conference of the States Parties and the first session of the Committee on the Rights of Persons with Disabilities be held in 2007, the Secretariat would revert to the Assembly on meeting the conference servicing requirements in accordance with established procedures. The Secretariat also informed the Assembly at its sixty-first session of the financial implications, estimated at $10,031,900, were the Convention to enter into force during the biennium 2008-2009. In addition, in paragraph 23.15 of the proposed programme budget for the biennium 2008-2009 (A/62/6 (Sect.23)), the Secretary-General informed the General Assembly that the estimates for section 23, Human rights, were likely to be revised during the current biennium should the Convention enter into force.

The Secretariat currently estimates requirements for the Committee on the Rights of Persons with Disabilities and the Conference of States Parties as follows: (a) for 2008, $32,500; (b) for 2009, $2,353,200; and (c) for the biennium 2010-2011, $14,190,400.

08-63188 (E) 121208

I. Introduction

1. The present report is submitted to inform the General Assembly of the requirements resulting from the entry into force on 3 May 2008 of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto.

2. It may be recalled that, in his statement on programme budget implications (A/C.5/61/15), the Secretary-General informed the General Assembly that should the Convention enter into force in 2007 and the Conference of the States Parties and the first session of the Committee on the Rights of Persons with Disabilities be held in 2007, the Secretariat would revert to the Assembly on meeting the conference servicing requirements in accordance with established procedures. The Secretariat also informed the Assembly at its sixty-first session of the financial implications, estimated at $10,031,900, were the Convention to enter into force during the biennium 2008-2009. The estimates have now been revised as estimated requirements of $2,385,700 for the biennium 2008-2009 and of $14,190,400 for the biennium 2010-2011.

3. In paragraph 23.15 of the proposed programme budget for the biennium 2008-2009, the Secretary-General informed the General Assembly that the estimates for section 23, Human rights, were likely to be revised during the current biennium, should the Convention enter into force.

4. It is the understanding of the Secretariat that the costs associated with the implementation of the Convention should be met from the regular budget of the United Nations. The present report is therefore submitted to outline the financial implications of the Convention as a whole, as adopted.

II. Activities required under the Convention

5. The adoption of the Convention and the Optional Protocol prompted various activities, as described below, that would need to be undertaken following the entry into force on 3 May 2008 of the Convention.

A. Conference of the States Parties to the Convention

6. In accordance with article 40 of the Convention, no later than six months after the entry into force of the Convention, the Conference of States Parties would be convened by the Secretary-General. The subsequent meetings would be convened by the Secretary-General biennially or upon the decision of the Conference of States Parties. The first session of the Conference of States Parties was held in New York on 31 October and 3 November 2008. At that session, it was decided that the second session of the Conference of States Parties would be held in New York for a period of four days (one meeting per day), in August or September 2009.

7. In accordance with article 34 of the Convention, the Committee on the Rights of Persons with Disabilities would be established. It would consist, at the time of entry into force of the Convention, of 12 experts. After an additional 60 ratifications or accessions to the Convention, the membership of the Committee would increase by 6 members, attaining a maximum number of 18 members. Members of the Committee would be elected by States parties. The first election of the members of

the Committee was held on 3 November 2008 at a meeting of the Conference of States Parties.

B. Sessions of the Committee

8. While the Committee, in accordance with article 34 of the Convention, would establish its own rules of procedure, it is assumed that it would hold two sessions annually of five days each. In accordance with the principle established by the General Assembly in its resolution 40/243, on the pattern of conferences, the Committee would meet at the headquarters of its substantive secretariat (Office of the United Nations High Commissioner for Human Rights) in Geneva, which would be reflected in the calendar of conferences for future bienniums.

9. At its first regular session, the Committee would be expected, inter alia, to consider and adopt its rules of procedure, to consider and decide on guidelines on the content of the reports by States parties and to take decisions on matters relevant to the organization of its future work.

C. Processing of the reports submitted by States parties to the Convention

10. Under article 35 of the Convention, States parties would submit to the Committee, through the Secretary-General, reports on measures taken to give effect to its obligations under the Convention and on the progress made in this regard, within two years after the entry into force of the Convention for the State party concerned. Thereafter, States parties would submit subsequent reports at least every four years and further whenever the Committee so requested. Under article 39, the Committee would report every two years to the General Assembly and to the Economic and Social Council on its activities and might make suggestions and general recommendations based on the examination of reports and information received from the States parties.

D. Handling communications from individuals

11. Under article 1 of the Optional Protocol to the Convention, States parties to the Protocol would recognize the competence of the Committee on the Rights of Persons with Disabilities to receive and consider communications from or on behalf of individuals or groups of individuals subject to its jurisdiction who claim to be victims of a violation by that State party of the provisions of the Convention. The Committee would hold closed meetings when examining communications under the Protocol and would forward its suggestions and recommendations, if any, to the State party concerned and to the petitioner.

E. Consideration by the Committee of violations by States parties

12. Under article 6 of the Optional Protocol, if the Committee received reliable information indicating grave or systematic violations by a State party of rights set forth in the Convention, the Committee would invite that State party to cooperate in

the examination of the information. The Committee might also designate one or more of its members to conduct an inquiry and to report urgently to the Committee and, where warranted and with the consent of the State party, the inquiry might include a visit to the State party's territory.

F. Accessibility of facilities and services consistent with the Convention

13. It is assumed that measures to ensure accessibility of facilities and services, requested under article 9 of the Convention, would include, but not be limited to, the following arrangements with regard to the meetings of the Committee and of the Conference of States Parties:

(a) Provision of a ramp to provide access to the podium in the conference room;

(b) Provision of sufficient space and conditions in the conference room to enable greater mobility and improved access to desks for wheelchair users;

(c) Provision of a sufficient number of hearing loops;

(d) Provision of closed captioning services in the official languages, when required;

(e) Provision of necessary assistance and seating capacity to sign language interpreters for other languages that might be brought independently by delegations and non-governmental organizations;

(f) Provision of all documentation, statements delivered and other texts under consideration at the meeting in accessible electronic format, including audio format, when possible;

(g) Provision of all official documentation in large text and Braille formats.

14. It is also understood that comprehensive arrangements in accordance with article 9 of the Convention, including standards and guidelines for the accessibility of facilities and services by the United Nations system, would be progressively developed, to be accounted for and implemented by entities of the United Nations system as authorized by their respective governing bodies.

III. Resources available within the programme budget for the biennium 2008-2009

15. In paragraph 23.37 of the proposed programme budget for the biennium 2008-2009 (A/62/6 (Sect.23)), the Secretary-General informed the General Assembly that should the Optional Protocol enter into force during the biennium 2008-2009, Member States would be informed of the budgetary implications in accordance with established procedures.

16. The programme of work for the biennium 2008-2009 related to disability in subprogramme 3, Social policy and development, of section 9, Economic and social affairs, includes: (a) servicing of meetings of the General Assembly, the Commission on Social Development and the Conference of States Parties to the

Convention on the Rights of Persons with Disabilities; (b) advocacy and capacity-building initiatives, monitoring and reporting on the mandates related to the World Programme of Action concerning Disabled Persons and the Standard Rules on the Equalization of Opportunities for Persons with Disabilities particularly good practices in mainstreaming a disability perspective into development programmes; (c) management of the United Nations Voluntary Fund on Disability and its grants; (d) communications and cooperation with Member States, non-governmental organizations, other United Nations system entities and other partners on disability issues; (e) supporting the work of the Special Rapporteur on disability of the Commission for Social Development; (f) planning and communication around the International Day of Disabled Persons; and (g) production of Braille materials for selected non-official documents and timely management of the website, meetings, conferences and events.

17. Under section 9, Economic and social affairs, of the programme budget for the biennium 2008-2009, resources for the activities have been provided as follows: staff resources of eight posts (1 P-5, 2 P-4, 2 P-3, 1 P-2/1 and 2 General Service (Other level)); and non-post resources totalling $55,000 for: (a) consultants and experts to assist with the fifth quinquennial review and appraisal of the World Programme of Action concerning Disabled Persons and a review of good practices in mainstreaming a disability perspective into development programmes ($52,000); and (b) travel of staff to participate in meetings of the Committee on the Rights of Persons with Disabilities in 2009 ($3,000).

18. It is expected that the existing staff complement under section 9 would continue to deal with activities under the Convention by, inter alia, providing substantive and technical services to the Conference of States Parties in cooperation with the New York Office of the United Nations High Commissioner for Human Rights; preparing publications; and organizing capacity-building activities in support of the ratification and implementation of the Convention.

19. Under section 23, Human rights, of the programme budget for the biennium 2008-2009, the Human Rights Treaties Branch assigns staffing on an ad hoc basis to meet the needs of the various treaty bodies as and when they arise. There is one P-4 staff member with thematic responsibility for disability issues. However, there are no posts dedicated specifically to work on matters relating to the Convention.

IV. Additional requirements under the programme budget for the biennium 2008-2009

20. The additional costs arising from the entry into force of the Convention are outlined below.

A. Section 23, Human rights

21. In order to provide minimal substantive and technical secretariat services to the States parties and the Committee on the Rights of Persons with Disabilities, three posts (1 P-4, 1 P-3 and 1 General Service (Other level)) would be required, with the related costs for 2009 amounting to approximately $238,900 (net). For the biennium 2010-2011, the related costs are estimated at $839,800 (net).

22. It is envisaged that the Committee would hold two sessions annually of five days each. While the Committee would initially comprise 12 experts, given the requirement that the Committee members reflect a balance of experts with disabilities, it is envisaged that some experts would need to be accompanied by assistants. Consequently, the related travel and per diem costs for 12 experts and 12 assistants would amount to $177,600 per session, or $355,200 per annum. An amount of $3,700 was required in 2008 for travel of staff. It is assumed that the Committee would hold its two sessions in 2009. For the biennium 2010-2011, the related cost are estimated at $710,400.

23. As mentioned in paragraph 12 above, under article 6 of the Optional Protocol, the Committee might designate one or more of its members to conduct an inquiry, which might include a visit to the State party's territory. It is estimated that each visit would be of at least one week's duration and be carried out by three Committee members, accompanied by three assistants, four staff members and four interpreters. It is also assumed that two visits would be carried out in 2009 with the related travel and per diem costs estimated at $78,900 per visit, or $157,800 per annum. For the biennium 2010-2011, the related costs are estimated at $315,600.

24. In accordance with article 9 of the Convention, the Office of the United Nations High Commissioner for Human Rights estimates that specialized furniture and equipment for members of the Committee and its staff would be required. The total related one-time cost in 2009 is estimated at $51,000. As compared to the estimates previously reported for section 23, Human rights (see A/C.5/61/15, annex II), the estimates in the current report are higher, owing essentially to costing parameters in the biennium 2008-2009.

25. Under article 34 of the Convention, with the approval of the General Assembly, the members of the Committee would receive emoluments from the United Nations on such terms and conditions as the Assembly might decide. It is recalled that the Assembly, in its resolution 56/272, with effect from 6 April 2002, set the level of all existing honorariums at $1 per year per member of the related organs. It is expected that provisions of that resolution would also apply to the Committee on the Rights of Persons with Disabilities, unless decided otherwise by the Assembly.

26. It is also assumed that dissemination of information on the Convention and the Optional Protocol would be implemented by the Office of the United Nations High Commissioner for Human Rights and the Department of Public Information of the Secretariat, within their existing capacities.

27. Modifications of the programmed outputs, under section 23, Human rights, of the programme budget for the biennium 2008-2009 (A/62/6 (Sect. 23)) under subprogramme 2, Supporting human rights bodies and organs, relating to the Committee on the Rights of Persons with Disabilities would include inserting the following new output, after

in paragraph 23.66 (a) (xxiv):

(xxv) Committee on the Rights of Persons with Disabilities;

a. Substantive servicing of meetings (20);

b. Parliamentary documentation: reports of the Committee (1).

28. The relevant outputs pertaining to the sessions of the Committee for the biennium 2010-2011 would be reflected in the proposed programme budget for that biennium.

B. Section 2, General Assembly and Economic and Social Council affairs and conference management

29. The first session of the Conference of States Parties was held on 31 October and 3 November 2008. The related conference servicing costs of the meetings were met within resources available under section 2, General Assembly and Economic and Social Council affairs and conference management, by utilizing the conference servicing capacity available on those dates, to the extent possible. The actual additional requirements arising from the first session, estimated at $24,800, will be reported to the General Assembly in the context of the second performance report for the biennium 2008-2009.

30. The second session of the Conference of States Parties would be held in New York, in August or September 2009. It would consist of four meetings in four days (only one meeting in the morning and none in the afternoon) with: simultaneous interpretation services in all six languages; and sign-language provided on demand for American sign language, with two interpreters required for each meeting. The second session of the Conference of States Parties has not been programmed in advance and therefore constitutes an addition to the United Nations calendar of meetings and conferences for 2009. Documentation requirements for the meetings are estimated at 40 pages of pre-session and four pages of post-session documentation in six languages and summary records. Selected documents are expected to be produced in Braille. The related conference servicing costs in 2009 of the Conference of States Parties are estimated at $165,000 (at full cost). The provisions under section 2, General Assembly and Economic and Social Council affairs and conference management, of the programme budget for the biennium 2008-2009 will be utilized, to the extent possible, to meet the costs of those meetings since they are not included in the programme of work under section 2.

31. It is assumed that the first and second regular sessions of the Committee on the Rights of Persons with Disabilities would be convened for five days each in 2009 at the United Nations Office at Geneva. The two sessions of the Committee in 2009 have been programmed in the programme budget for the biennium 2008-2009 and included in the calendar of conferences and meetings for the biennium 2008-2009.

32. It is estimated that each session would require conference services for 10 meetings (two meetings per day) with interpretation services in all six languages, including sign language interpretation in all six languages. Four sign-language interpreters would be required per language, for a total of 24 interpreters, including costs of salaries, travel, per diem and terminal expenses. The interpreters will be internationally recruited since there is no availability of such resources on the local freelance market. For the first two sessions in 2009 of the Committee, documentation requirements per session are estimated at 250 pages of pre-session, 60 pages of in-session and 60 pages of post-session documentation in six languages and summary records. Documentation will also be produced in Braille. For sessions of the Committee after 2009, documentation requirements per session are estimated

at 700 pages of pre-session, 50 pages of in-session and 750 pages of post-session documentation in six languages and summary records for each five-day session.

33. There are several changes in the scope and workload of conference services in the biennium 2008-2009, compared to those previously reported (see A/C.5/61/15, annex II), as follows: (a) the second session of the Conference of States Parties will be held in 2009, in addition to the first session of the Conference of States Parties held in 2008, while only the latter was considered previously; (b) though it was previously estimated that the Committee would hold its first two sessions in 2008, the Committee will now hold its first two sessions one year later, in 2009; (c) sign-language interpretation for the sessions of the Committee will now be required for all six official languages instead of the three official languages (English, French and Spanish) previously included in the programme budget for 2008-2009; (d) all the sign-language interpreters for the sessions of the Committee will be recruited internationally, instead of locally, as previously budgeted; (e) the Committee now requires full production of documentation in Braille, while costs were estimated for selected documentation in the programme budget for the biennium 2008-2009; (e) owing to the focus on dealing with organizational and procedural matters instead of substantive matters, the first two sessions of the Committee to be held in 2009 will have much less documentation than future sessions, as explained in paragraph 32 above, while it was previously estimated that the first two sessions and subsequent sessions would have similar requirements for documentation.

34. The combined effect of the above changes has led to lower requirements for conference servicing resources, under section 2 for the biennium 2008-2009, and a much lower requirement for documentation for the sessions of the Committee in 2009. The revised estimate for conference services under section 2 for the biennium 2008-2009 now stands at $1,559,500, as follows: (a) $189,800 for the first and second sessions of the Conference of States Parties, including sign-language interpretation in English and selected documentations in Braille, and (b) $1,369,700 for the first two sessions of the Committee in 2009 with sign-language interpretation in all six official languages and full documentation in Braille.

35. The conference services requirements for the Conference of States Parties and the sessions of the Committee in the biennium 2010-2011 are estimated at $12,309,000, including $165,000 for one session of the Conference of States Parties and $12,144,000 for four sessions of the Committee. Those requirements would be considered in the context of the proposed programme budget for the biennium 2010-2011.

C. Section 28, Management and support services

36. The central support services requirements in connection with conference servicing, including provision of sound technicians and clerical support, are estimated at: (a) $2,000 under section 28D, Office of Central Support Services, for each meeting of the Conference of States Parties; and (b) $3,800 per session of the Committee under section 28E, Administration, Geneva, of the programme budget for the biennium 2008-2009. For the current biennium, the total requirements of $19,600 will be met from within overall resources provided for the biennium 2008-2009 under section 28D, Office of Central Support Services ($12,000), and under section 28E, Administration, Geneva ($7,600). The overall related requirements for the biennium 2010-2011 of $15,600 will be considered in the context of the proposed programme budget for the biennium 2010-2011.

37. It is also estimated that arrangements to ensure accessibility of facilities and services with regard to the meetings of the Committee and of the Conference of the States Parties, as indicated in paragraph 13 above, would be met, to the extent possible, within existing resources, in accordance with General Assembly decision 56/474.

38. With regard to the terms of article 9 of the Convention, on ensuring to persons with disabilities access, on an equal basis with others, and on the accessibility of facilities and services by the United Nations system, the related requirements would be taken into account during further consideration of the renovation of the United Nations facilities.

Section 35
Staff assessment
Income section 1

39. The proposals for new posts (1 P-4, 1 P-3 and 1 General Service (Other level)) included under section 23, Human rights, for the biennium 2008-2009 give rise, as from 2009, to additional requirements of $40,800 for staff assessment under section 35, Staff assessment. This provision will be offset by a corresponding amount under income section 1, Income from staff assessment. The biennium 2010-2011 requirements for staff assessment under section 35, Staff assessment, in the total amount of $139,000, will be offset by a corresponding amount under income section 1, Income from staff assessment.

40. The table below summarizes the estimates, resulting from the entry into force of the Convention, for the Conference of States Parties and the Committee on the Rights of Persons with Disabilities of the first meeting held in 2008, and the estimated costs for 2009 and the biennium 2010-2011.

Summary of overall estimated requirements

(United States dollars)

Committee on the Rights of Persons with Disabilities	*2008*	*2009*	*2008-2009*	*2010-2011*
Section 2, General Assembly and Economic and Social Council affairs and conference management	—	1 369 700	1 369 700	12 144 000
Section 23, Human rights (staff costs, travel requirements for representatives, staff and documents)	—	802 900	802 900	1 865 800
Section 28D, Office of Central Support Services				
Section 28E, Administration, Geneva	—	7 600	7 600	7 600
Section 35, Staff Assessment	—	40 800	40 800	139 000
Income section 1, Income from staff assessment	—	(40 800)	(40 800)	(139 000)
Total, Committee	**—**	**2 180 200**	**2 180 200**	**14 017 400**

Conference of the States Parties	*2008*	*2009*	*2008-2009*	*2010-2011*
Section 2, General Assembly and Economic and Social Council affairs and conference management	24 800	165 000	189 800	165 000
Section 23, Human rights (travel requirements for staff)	3 700	—	3 700	—
Section 28D, Office of Central Support Services	4 000	8 000	12 000	8 000
Section 28E, Administration, Geneva	—	—	—	—
Total, Conference	**32 500**	**173 000**	**205 500**	**173 000**
Grand Total	**32 500**	**2 353 200**	**2 385 700**	**14 190 400**

V. Conclusions and action required of the General Assembly

41. The entry into force in 2008 of the Convention and the Optional Protocol has given rise to estimated requirements for the programme budget for the biennium 2008-2009 in the amount to $2,385,700, including $1,559,500 under section 2, General Assembly and Economic and Social Council affairs and conference management; $806,600 under section 23, Human rights; $12,000 under section 28D, Office of Central Support Services; $7,600 under section 28E, Administration, Geneva; and $40,800 for staff assessment under section 35, Staff assessment, offset by an equivalent amount under income section 1, Income from staff assessment, of the programme budget for the biennium 2008-2009.

42. Provision has already been made under section 2 of the programme budget for the biennium 2008-2009 for servicing two annual sessions of the Committee on the Rights of Persons with Disabilities; hence, the $1,369,700 required amount will be covered by available resources. The requirements for the first meeting of the Conference of States Parties were met within available resources. The requirements for the second Conference of States Parties ($165,000) represent an addition to the workload programmed under section 2 of the programme budget for the biennium 2008-2009. The estimated requirements of $12,000 under section 28D, Office of Central Support Services, and $7,600 under section 28E, Administration, Geneva, are also expected to be absorbed within available resources for the biennium 2008-2009.

43. With regard to the estimated requirements of $806,600 under section 23, Human rights, and $40,800 for staff assessment under section 35, Staff assessment, offset by an equivalent amount under income section 1, Income from staff assessment, no provisions have been made under the programme budget for the biennium 2008-2009 to meet the requirements.

44. **The General Assembly is requested to:**

(a) **Take note that the total estimated additional requirements of $2,385,700, arising from the entry into force on 3 May 2008 of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto,**

relate to: section 2, General Assembly and Economic and Social Council affairs and conference management ($1,559,500); section 23, Human rights ($806,600); section 28D, Office of Central Support Services ($12,000); 28E, Administration, Geneva ($7,600); and section 35, Staff assessment ($40,800), offset by an equivalent amount under income section 1, Income from staff assessment, of the programme budget for the biennium 2008-2009, to be met as proposed under subparagraphs (b) and (c) below;

(b) Take note of the proposal of the Secretary-General that of the total amount required, in the amount of $1,414,100 under section 2, General Assembly and Economic and Social Council affairs and conference management ($1,394,500), 28D, Office of Central Support Services ($12,000) and 28E, Administration, Geneva ($7,600), of the programme budget for the biennium 2008-2009 would be met from within the resources already appropriated under the programme budget for the biennium 2008-2009, and authorize the Secretary-General to report, as necessary, within the context of the second performance report of the programme budget for the biennium 2008-2009;

(c) Approve the proposals of the Secretary-General, which give rise to additional requirements of: $165,000 under section 2, General Assembly and Economic and Social Council affairs and conference management; $806,600 under section 23, Human rights; and $40,800 under section 35, Staff assessment, offset by an equivalent amount under income section 1, Income from staff assessment. The extent to which these additional requirements would need additional appropriations for the biennium 2008-2009 will be determined in the context of the consolidated statement of all statements of programme budget implications and revised estimates for the biennium 2008-2009, to be submitted to the General Assembly towards the end of the main part of its sixty-third session, together with the proposals on utilization of the contingency fund for the additional requirements;

(d) Approve the proposed modifications to the outputs to be incorporated into the programme of work of section 23, Human rights, of the programme budget for the biennium 2008-2009 under subprogramme 2, Supporting human rights bodies and organs, reflected in paragraph 26 above;

(e) Take note of the proposals of the Secretary-General for the biennium 2010-2011 under: section 2, General Assembly and Economic and Social Council affairs and conference management ($12,309,000); section 23, Human rights ($1,865,800); section 28D, Office of Central Support Services ($8,000); section 28E, Administration, Geneva ($7,600) and section 35, Staff assessment ($139,000), to be offset by an equivalent amount under income section 1, Income from staff assessment, which would be dealt with in the context of the 2010-2011 proposed programme budget.